

Notice of Allowability

Application No.

09/300,320

Examiner

Allan Hoosain

Applicant(s)

COOK ET AL

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Examiner's Amendment, 11/23/04.
2. ☒ The allowed claim(s) is/are 1-7,14,16-22,29,30,32 and 33.
3. ☒ The drawings filed on 24 August 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 9/2/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney **Stephen R. Tkacs**, Registration No. 46,430 on 11/22/04.

The application has been amended as follows:

2. Claim 1

Line 17 (last line), delete '—address.—'

Line 17 (last line), add '—address,--'

After Line 17 (last line), add '—wherein upon receipt of the text message at the recipient, the text message is displayed as a voice message in a message list containing non-voice messages.—'

3. Claim 14

Line 26 (last line), delete '—address.—'

Line 26 (last line), add '—address,--'

After Line 26 (last line), add the following:

'—a sixth mode of operation in which the message processing mechanism waits for a receipt of a text message;

Art Unit: 2645

a seventh mode of operation, responsive to receiving a text message, in which the message processing mechanism parses the text message to determine whether an identifying string identifying a presence of a voice message is present; and

an eight mode of operation, responsive to a presence of the identifying string, in which the message processing mechanism causes the graphical user interface to display the message as a voice message in a message list containing non-voice messages.—‘

4. Claim 16

Line 17 (last line), delete ‘—address.—‘

Line 17 (last line), add ‘—address,—‘

After Line 17 (last line), add ‘—wherein upon receipt of the text message at the recipient, the text message is displayed as a voice message in a message list containing non-voice messages.—‘

5. Claim 29

Line 17 (last line), delete ‘—address.—‘

Line 17 (last line), add ‘—address,—‘

After Line 17 (last line), add ‘—wherein upon receipt of the text message at the recipient, the text message is displayed as a voice message in a message list containing non-voice messages.—‘

6. Cancel Claims 10-13,15,25-28 and 31.

7. The following is an examiner's statement of reasons for allowance:

The Independent Claims recite the automatic processing of voice messages using text messages and limitations for the following:

“responsive to a request to send the text message, automatically inserting an indicator into the text message indicating a presence of a voice message” and

“wherein upon receipt of the text message at the recipient, the text message is displayed as a voice message in a message list containing non-voice messages.”

Some prior art teaches automatic processing voice messages using text messages but not displaying the messages. Some other prior art teaches displaying voice messages and e-mails in a single list. However, these prior art are not analogous and it is not obvious to combine them to achieve the claimed limitations in the context of the claims. Therefore, Claims 1-7,14,16-22,29-30 and 32-33 are indicated allowable.

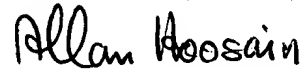
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday-Friday-8 am to 4:30pm.

Art Unit: 2645

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang** can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Allan Hoosain
Primary Examiner
Art Unit 2645